

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

ANTONIO LYNN FLUKER,

Plaintiff,

v.

STEVEN WORPELL,

Defendant.

Case No. 1:22-cv-12045

Honorable Thomas L. Ludington  
United States District Judge

Honorable Patricia T. Morris  
United States Magistrate Judge

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**ORDER ADOPTING REPORT AND RECOMMENDATION (ECF NO. 8) AND  
DISMISSING PLAINTIFF’S REQUEST FOR MONETARY DAMAGES**

On September 21, 2022, Magistrate Judge Patricia T. Morris issued a report recommending that the undersigned this Court *sua sponte* dismiss Plaintiff’s request for monetary damages and permit “his Equal Protection and Substantive Due Process claims under the Fourteenth Amendment seeking injunctive relief” to proceed. ECF No. 8 at PageID.51. Judge Morris gave Plaintiff 14 days to object, but Plaintiff said he has “no objections.” ECF No. 10 at PageID.54. Therefore, he has waived his right to appeal Judge Morris’s findings. *See Berkshire v. Dahl*, 928 F.3d 520, 530–31 (6th Cir. 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)).

Accordingly, it is **ORDERED** that Judge Morris’s Report and Recommendation, ECF No. 8, is **ADOPTED**.

Further, it is **ORDERED** that Plaintiff’s request for monetary damages, ECF No. 1, at PageID.5 is **DISMISSED**.

**This is not a final order and does not close the above-captioned case.**

Dated: May 2, 2023

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge